



**Date:** April 17, 2023

**To:** Wanda S. Page, City Manager  
**Through:** Bertha T. Johnson, Deputy City Manager  
**From:** Jina B. Propst, Director, Department of General Services  
**Subject:** Construction Services Contract with SA Hauling & Utilities LLC for the Sidewalk Gaps III Project

### **Executive Summary**

On February 9, 2023, three bids were opened for the Sidewalk Gaps III project. The lowest, responsive, responsible bid was submitted by SA Hauling & Utilities LLC. Their bid for the overall project was \$1,869,926, and included sidewalk installation in seven different areas of Durham where there are gaps in the existing network of sidewalks. However, all bids received significantly exceeded the project budget. In order to lower the cost of work and bring the project within budget, the largest gap location along East Club Boulevard is proposed to be removed from the project. This lowers the lowest, responsive, responsible bid to \$1,084,216, just under the amount available for construction.

### **Motion**

To authorize the City Manager to execute a contract with SA Hauling & Utilities LLC for the Sidewalk Gaps III project in the amount of \$1,084,216;

To establish a contingency fund for the contract in the amount of \$141,000; and

To authorize the City Manager to negotiate and execute change orders to the contract, provided the total contract cost does not exceed \$1,225,216.

### **Background**

The Sidewalk Gaps III project is part of the Durham Bike+Walk Plan and will place approximately 1,400 linear feet of new sections of sidewalks in six high-use areas where there are currently gaps. This does not include the East Club Boulevard section, to be removed from the project. Funding is provided by FY20-23 CIP.

- 2814 Pickett Road
- 1101 Leon Street
- 115 & 117 Hunt Street
- Cheek Rd., between Andover Dr. and Hardee Street
- South Elm Street at 950 E. Main Street
- Lumley Road at 2702 Sagebrush Lane

The locations were identified in the Durham Bike+Walk Plan adopted by City Council on May 15, 2017. This is the third project to construct sidewalk locations identified in the plan. The first project was completed in 2018, and the second in 2020. The purpose of the Durham Bike+Walk

Plan is to update and combine the Comprehensive Bicycle Transportation Plan and the DurhamWalks! Pedestrian Plan, both adopted in 2006 with a focus on implementing projects to improve biking and walkability. The plan included extensive public engagement to identify priorities, and projects were scored based on a methodology that included safety, connectivity, demand, and equity.

In May 2019, Timmons Group, Inc. was selected through a Request for Qualifications (RFQ) process for design services for the Sidewalk Gaps III project.

**Issues and Analysis**

The Sidewalk Gaps III construction project bid on January 4, 2023, with no bids received. The project went out for rebid, and three bids were received on February 9, 2023. The bid results are as follows. No alternates were included in the bid, however the East Club Boulevard section was separated out and identified as a “Supplemental Bid.” This was done in order to better track costs, required by a DOT SPOT Safety grant, specific to the East Club Boulevard section of sidewalk. Since all bids came in significantly over the cost estimate of \$1,087,094 for the full project, the Transportation Department recommended to pulling the East Club Boulevard section from the Sidewalk Gaps III project and combine it with a different Club Blvd sidewalk project along that same section of road.

Construction is anticipated to begin in June 2023 and be complete in March 2024.

Company	Main Bid	Supplemental Bid	Total Bid
SA Hauling & Utilities LLC	\$1,084,216.00	\$ 785,710.00	\$1,869,926.00
Browe Construction Company	\$1,313,205.00	\$ 1,183,390.00	\$2,496,595.00
Mohammad Construction, LLC	\$3,628,948.78	\$ 2,409,580.34	\$6,038,529.12

**Alternatives**

City Council could decide to not proceed with the project or reject the bids and require General Services to rebid.

**Financial Impact**

Funds for this project are currently budgeted and available as follows:

**FUNDING SOURCES**

FY20-23 CIP	\$ 1,370,553.00
<b>Total Revenues</b>	<b>\$ 1,370,553.00</b>

**PROJECT COSTS**

Professional Services	\$ 98,400.00
Professional Services Contingencies	\$ 6,000.00
Property Acquisitions	\$ 7,400.00
<i>Construction</i>	<i>\$ 1,084,216.00</i>
<i>Construction Contingencies</i>	<i>\$ 141,000.00</i>
Owner Expenses	\$ 33,537.00
<b>Total Expenditures</b>	<b>\$ 1,370,553.00</b>

Funding for this project is available in the following accounts:

Fund	Organization Code	Object Code	Project Code	Amount
Construction in Progress	3000L000	731000	LC505	\$1,084,216
Contract Contingencies	3000L000	731900	LC505	\$141,000

**Equal Business Opportunity Summary**

The Underutilized Business Compliance Division reviewed the bid submitted by SA Hauling & Utilities LLC dba Creative Concrete Construction of Apex, NC to determine if they are in compliance with Ordinance to Promote Equal Business Opportunities in City Contracting. The goals for this project were **MUBE** 11% and **WUBE** 7%.

Both Minority and Women goals were met. The firm is in compliance with the Ordinance to promote Equal Business Opportunities in City Contracting.

\*SA Hauling & Utilities LLC dba Creative Concrete Construction is a NCDOT (**MUBE**) certified firm\*

**UBE REQUIREMENTS**

SA Hauling & Utilities LLC dba Creative Concrete Construction will utilize the following certified firm:

Firm	ID	City/State	Amount	% of Contract
1 <sup>st</sup> Class Trucking	WUBE	Franklinton, NC	\$134,000.00	7%

**Contractor Workforce Diversity & Hiring Practices**

According to the contractor’s responses to the “Contractor Workforce Diversity Questionnaire,” the contractor is a small employer (less than 50 employees) consisting of a mix of professional/skilled and unskilled workers. The contractor believes it has a diverse workforce because the owner is a NCDOT DBE certified contractor, and their workforce includes male and female workers.

**Part A – Employee Diversity Breakdown Table for Primary Location**

Employment Category	Total Employees	Total Males	Total Females	M-----a-----l-----e-----s					F-----e-----m-----a-----l-----e-----s				
				White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native	White	Black	Hispanic	Asian or Pacific Islander	Indian or Alaskan Native
Project Manger	1	1					1						
Professional	1	1					1						
Labor	7	6	1			6				1			
Clerical													
Totals	9	8	1			6	2			1			

**Attachments**

EJCDC Construction Contract